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Political Diary

Everywhere we look, it's Enron, in the biggest tumult over corporate criminality since the looting of the S&Ls in the 1980s. Enron will be on the menu for months if not years. Congress launches into at least eight separate hearings. Federal and state prosecutors prepare indictments. The press marshals investigative teams and columnists inscribe earnest reflections about the necessity for capitalism to be honest about its balance sheets. Our favorite thus far: an article in Reason magazine (a journal of the libertarian right) shouldering a heavy burden of argument to the effect that the evaporation of the life savings of Enron workers, locked in their doomed 401Ks, should in no way slow the effort to privatize the social security system.

Of course Democrats can be forgiven their malicious glee. After years of battering over Whitewater, Chinese influence peddling, Monica, travelgate etc, they now enjoy a scandal of epic proportions in which the prime players are: Texas Republicans who were big-time contributors to George Bush; a company whose executives were somehow able to locate vice president Dick Cheney and meet with him no less than six times, the time required to dictate the new administration's energy policy. (Though they prudently omitted from their blueprint lobbying for the Kyoto treaty, an Enron staple of the Clinton years. The company regarded Kyoto as an opportunity to coin money off natural gas sales, pollution credits and Enron's cornering of the solar and wind power technologies.)

In fact CounterPunch wrote about Enron's plunge into alternative energy markets in 1996 and as our longtime readers will recall, have been following Enron's rampages for years. Indeed, back in 1996 we were in receipt of a phone call from an Enron vice president protesting our expose of how Enron, with the connivance of green energy guru Ralph Cavanagh, was plotting to take over Oregon's prime utility, Portland General Electric. The Enron veep bleated that CounterPunch had got it all wrong and that his firm "are the good guys who will cut red tape, lower energy prices, move away from nukes, coal and other environmentally malign power sources and look out for the poor in the cold winter months as part of our charitable duties. Five years from now we will have revolutionized the energy market."

Enron's successful grab of PGE told us everything we needed to know about the Houston-based company. Its promises were baloney, its motives and methods corrupt. Whenever it could, it simply bought off the opposition. Green groups would pocket the grants and in an instant detect beneficence in Enron's strategies. Enron had no loyalties, displaying a mature understanding of the political process. It invested in George Bush in the late 1980s. In 1994 it was equally ready to invest in Sheila Jackson Lee. When this Texas Democrat made her first primary challenge against a decent incumbent of the House (albeit with a baroque personal life), her finance chairman was Ken Lay.

Thus we can pardon Democratic schadenfreude, but also relish the hypocrisies involved. Letter-sorting machines in Washington only recently cleansed of anthrax spores are now processing mail from Capitol Hill returning campaign contributions from Enron and the company's accountant, Arthur Andersen. It's a bipar-

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Our Little Secrets

tisan operation. Among those donating their Enron contributions to a fund for Enron workers is Senator Hillary Rodham Clinton, also most of Oregon's congressional delegation, on both sides of the aisle. In the latter case the Oregonian reps are less quick to return campaign money they got from Enron's wholly owned subsidiary, PGE. One can see why. If this business of returning dirty money catches on, where will the line be drawn?

The itinerary and mechanics of Enron's rise and fall were both designed in the Clinton years, where the Clinton/ Gore White House oversaw and often micro-managed the deregulatory legislation and Exim-bank/ OPIC financing that were key to Enron's expansion. The Democratic Nation Committee, its surrogate e-mail operation Buzzflash and Rep Henry Waxman all feed their favored columnists with choice nuggets about Enron/Republican ties such as Dick Cheney's activities as debt collector for Enron from the Indian government. The Republican rapid response teams fire back press releases to the effect that not only did the Clinton administration exert itself with equal energy to collect India's debt to Enron but actually midwifed the original project, the construction of dams on the Narmada river, scheduled to displace 400,000 people in the central Indian state of Maharashtra.

Sure, James Baker was on the Enron payroll, as was George Bush's economic adviser Larry Lindsay. But also taking Lay's money were two of Gore's closest advisors, Jack Quinn and Greg Simon. And when Campaign 2000 was over, one of the first into the Enron ship as one of the company's lobbyists was Michael Lewan, who had served previously as Senator Joe Lieberman's chief of staff. And let us not forget that as Enron writhed in its death throes last December, among those urgently calling the White House in search of rescue was Robert Rubin, Clinton's treasury chief.

Enron, it's true, did push the envelope. A PGE executive confided to a Friend of CounterPunch recently that "we knew the company was listing when we heard that it was trying to buy internet porn sites." Even by the usual standards of corporate chicanery, the accounting procedures were manic in their crookedness. But the basic recipe was entirely in sync with what we are regularly instructed on CNN, MSNBC and Forbes is the building code for the New Economy of the 21st Century: the marketability of More or Less everything on the e-Bay of Planet Earth.

"Unfortunately," Enron's CEO Jeff Skilling remarked in 1997, as the company was trying to win its merger with PGE, "employees are not slaves". They may not have been, but their pension funds were certainly regarded as corporate property, to be exploited at will. For those who grew up in the rhetorical wonderland of the Nineties boom, Enron illustrates bleakly what New Age Techno-speak adds up to. "Twenty-five years of Boom, Got A Problem With That?" blared the front page of Wired some time in the late 1990s. Enron is the grave marker for that kind of delirious nonsense.

There was one major figure and one political force that did call Enron right, from the very start. Ralph Nader and his allies did battle with Enron in Oregon, in California and across the world. The feistier greens were never taken in. The advocates of public power saw through Enron's babble about the new energy economy. They were right all along.

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GOP Texan Cleans Up As Pakistan's Lobbyist

On the eve of the September 11 attacks, Pakistan recruited a Houston-based lobbyshop with close ties to President Bush to plead its case to the administration for the lifting of economic sanctions against the regime, debt restructuring and new trade deals. The firm tapped by the Musharraf government was Pollard and Cook, headed by Gary Pollard, chairman of the Houston GOP.

For a base annual fee of $180,000, Pollard set up a campaign called Team Barakat and registered with the State Department as a lobbyist for the Islamic Republic of Pakistan. Pollard's group developed a "Plan for Success: Moving International Relations Forward", which addressed how he would deal with nuclear testing, Afghan refugees, the Kashmir dispute with India, terrorism, human rights, economic debt restructuring, child labor and Pakistan's transition to a civilian government. According to State Department records, Pollard reports directly to Pakistani president, General Pervez Musharraf.

This isn't a media contract. It's payment for Pollard's meetings with administration officials and key players on the Hill. He's got the contacts. A Hoosier by birth, Pollard once chaired the fanatical Indiana Youth for Reagan. Since settling in Texas, he has proffered his services as a fundraiser for Senators Phil Gramm, Kay Bailey Hutchinson and House whip Tom DeLay. On January 19 of last year, Pollard organized the Texas Inaugural Breakfast for George and Laura Bush. Among the other highlights on Pollock's resumé that may have attracted the attention of the Musharraf regime is his work for the Christian Coalition. He was a keynote speaker at the group's last big bash, the Faith and Freedom Rally and Banquet at the GOP National Convention in 1996. After that it was all downhill for Falwell and his gang.

Travelling to Cuba? You'd Better Read This

Hearings on the Cuba travel restrictions are coming up in February in the US Senate. Here's a report on the illegality of the restrictions and how to call the Treasury's Department's bluff, sent us by CounterPuncher Tom Crumpacker, retired

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lawyer and member of the Miami Coalition to End US Embargo of Cuba.

From the beginning American courts have recognized and protected our right to travel to countries at peace with us. Our Supreme Court has repeatedly held this to be part of the liberty we can't be deprived of without due process of law under the Fifth Amendment. Moreover, because travel often involves learning and exchange of ideas, our First Amendment rights of speech and association are also involved. As former justice William O. Douglas once observed, "Freedom of movement is the very essence of our free society, setting us apart...it often makes all other rights meaningful."

In 1981 the Reagan Administration promulgated administrative regulations regarding Cuba travel which require a license issued by the State Department (permitting only certain limited types of travel, excluding business and tourist) and imposing penalties for violation of concurrent Treasury Department currency restrictions forbidding the unlicensed spending of money.

In a 5-4 decision in 1984, Reagan v. Wald, the US Supreme Court upheld the constitutionality of these restrictions on the basis of the State Department's assertion that the Cold War was an ongoing national emergency and Cuba had the economic, political and military backing of the Soviet Union, hence our Fifth Amendment right to travel was overcome by national security needs. In other words, we were not "at peace" with Cuba.

Through the 1990s when the Soviet Union no longer existed and the Defense Department had certified that Cuba posed no security risk, the restrictions were not enforced, it being clear that no judge would uphold them. But they remained on the books because our presidents lacked the political will to terminate them and our State Department was using them to try to frighten Americans out of going to Cuba. Each year the number of unlicensed American visitors increased. The US-Cuba Trade and Economic Council has estimated that last year there were over 160,000.

The issue is constitutional rather than legislative. But most people think otherwise because Congress has entered the fray. In ordinary times, one would think that Congress would not enact laws it knew to be unconstitutional, but recently its voting procedures have sometimes produced a different result. In the summer of 2000, both House and Senate cut off funding for the restrictions, based largely on research and opinion letters from the ACLU. But then in November of 2000 a bill came up which authorized the sale of food and medicine to Cuba under certain limited circumstances.

Unfortunately the Republican leadership in both bodies refused to allow a vote on this bill unless it was coupled with an amendment proposed by two Miami congresspersons which codified the travel restrictions. Although majorities in both chambers clearly opposed the restrictions, they nevertheless voted for the package and it was signed into law by President Clinton. Republican Rep. Mark Sanford of South Carolina said his leadership had "behaved shamefully" and Democratic Sen. Max Baucus of Montana called the matter "a travesty of our democracy".

This past summer the House again prohibited funding and the Senate was set to do the same in September when the matter went on the back burner in the wake the September 11 attacks.

Whether codified or not, the restrictions are unconstitutional and therefore invalid because the Cold War is over. The courts have not yet declared them unconstitutional because our government lawyers haven't brought any cases where the issue could be determined, it being unethical to prosecute people for violating laws known to be void.

Although the restrictions are not being enforced, President Bush last summer threatened to put them into operation, and in the past several years they occasionally have been used to harass (but not prosecute) people our government deems politically incorrect. Students and trade union members attending conferences in Cuba have been held for long hours in airports for questioning by customs agents. Last year Los Angeles guitarist Ry Cooder (who had made the film "Buena Vista Social Club" in Havana) was issued a $25,000 penalty notice.

Cooder and most Cuba travelers who get penalty notices know they can avoid problems by refusing to pay and by filing a hearing request within the required 30 days, which ends the matter without penalty. They are then entitled to an in-house hearing before a Treasury administrative judge, whose ruling would be subject to review in Federal Court where the constitutional issue could be raised. However, Treasury has no such administrative judges. This past summer the Department said it might try to use EPA judges to determine these cases, but apparently dropped this threat when several Senators said environmental judges were not appropriate to decide travel cases and were already busy with pollution matters.

The worst aspect of the present situation is the shaking down of unwary Cuba travelers by a government which knows that if a fine is contested there will be no prosecution. According to an August 5, 2001 New York Times article by Frank Bruni, the theoretical fine for unlicensed spending is $250,000; the fine on paper but not in practice is $55,000; the typical fine is $7,500, though Treasury takes as little as $700 in "voluntary settlement". An August 18, 2001, NY Transfer report by Jon Hillson indicates that while Treasury has taken in almost $2,000,000 in settlements from the 379 Cuba travelers who were frightened enough to pay voluntarily, it has never conducted an in-house hearing, much less taken someone to court.

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BLACK HAWK BILGE

Somalia is now touted as a prospective target nation in the war on terror. The new movie Blackhawk Down hails the heroism of US special forces, in the form of the Delta Force and Army Rangers. The reality was somewhat different. Recall that prior to US intervention by Bush I in 1992 Somalia had spent many years under the corrupt sway of Siad Barre, and the role of US oil companies was strong. Citing famine in Mogadishu and in the southern part of the country, and an urgent need to

*(**Political Diary** continued on page 6)*

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The Rise and Fall of Death Row Records

By Jeffrey St. Clair

On August 7, 2001, Marion "Suge" Knight, the 350-pound boss of Death Row records, was released from prison after serving five years on charges stemming from an 1992 assault. About the time Knight regained his freedom, a new documentary film, Welcome to Death Row, about the rise and fall of his company was making the rounds looking for a distributor to show it in theaters.

Five months later, Welcome to Death Row still hasn't had much of a public airing and the dozen or so artists who spoke on camera are feeling intimidated. Some have received death threats. Others fear for their careers.

The story told by Welcome to Death Row is a cautionary tale about the grimy realities of the entertainment industry, one that has made billions exploiting the talents of songwriters and musicians. It's a story of mercenary lawyers, drug gangs, and unremitting harassment by police and the FBI. In the end, although the label generated more than $400 million in sales, its top star was dead, its business manager was in jail and all the money was gone, most of it filched by white businessmen.

Compton didn't give birth to rap, but the music that came off the streets of Los Angeles in the late 1980s took the genre to a new level, artistically and politically. The leading forces of this new militant sound included rappers Eazy E, Ice Cube, MC Ren and Dr. Dre. The polyrhythmic beats and explicit lyrics, about drugs, sex, the violence of the streets and police brutality, were way beyond what any radio stations were willing to put on the air. But it didn't matter. The records sold hundreds of thousands of copies anyway and drew the squawks of such sentinels of public morality as Tipper Gore, William Bennett and Joe Lieberman.

The records sold and made millions for the record labels but that didn't mean the artists got paid. It's one of the oldest stories in music: labels ripping off writers and performers. A small group of rappers from Compton, led by Dr. Dre and his partner DOC, wanted to break out of this cycle of exploitation, form their own label and keep control over their songs and masters.

Dre sought out Dick Griffey, a black LA businessman and owner of SOLAR records, which had recorded numerous local R&B groups. Griffey offered Dre and his fellow artists, including Snoop Doggy Dog, office space and a studio in Hollywood. "The major labels will never understand street music", Griffey says. "But rap proved to be our CNN, our 60 Minutes, our Dateline."

Now Suge Knight enters the fray. Knight met Dr. Dre while he was working as a bodyguard for Bobby Brown. Knight was a college graduate, also smart, imposing and had done the near impossible: extracted royalty money owed to black rappers from record labels and white artists (notably Vanilla Ice, who claimed that Knight had threatened to toss him off a hotel balcony unless he paid his client points on a record). Knight became part of Dre's team and helped to found Death Row Records, handling the fledgling label's business end.

Dre and his cohorts immediately went to work in Griffey's studio creating what would become one of the most important albums of the 90s, The Chronic. But while they had their own label, they didn't have much money or a way to distribute their records. That's when two other key players arrive on the scene: Michael Harris and David Kenner. In the 1980s, Harris, also known as Harry-O, was one of LA's biggest cocaine dealers. But he'd also dabbled in legitmate businesses. He'd been one of the first blacks to produce a Broadway show, Chocolate, starring Denzel Washington. But Harry-0 had fallen on hard times. He'd been busted on conspiracy to commit murder, also on drug trafficking charges and was serving a long prison sentence.

Harry-O's attorney was David Kenner, a former prosecutor with a taste for the Hollywood scene. Harry-O said to Kenner, who was working to get him out of jail on probation, that he was interested in investing some money in an entertainment venture. He told Kenner that he had heard about Death Row records and asked him to contact Suge Knight. According to Harris, Kenner brought Knight to meet him in prison where they cut a deal. Harris would invest $1.5 million in Death Row for a 50 percent stake in the company. Kenner would become the lawyer for Death Row and its parent company, Godfather Entertainment.

The infusion of cash from Harris made Death Row a player. They decided to have a kick-off party for the label at Chasen's, a famous Old Hollywood restaurant. The invitations, which went out to some of the top executives in the music world, were printed to resemble subpoenas. It was an augury of things to come. Because at that very party David Kenner told a television interviewer that Harry-O had been a founder of the label—a statement that soon caught the attention of the FBI, which desperately wanted to connect the rap label to drug money.

Shortly after the rollout party, Dr. Dre completed work on The Chronic. Everyone who heard the tapes knew it was groundbreaking work. But when Sony was offered a chance to distribute the record, it refused, cowering under the storm stirred up by the likes of Tipper Gore over the explicit lyrics and militant politics of rap music. BMI also refused to distribute it. Finally, Knight took the album to Interscope Records, an LA-based outfit run by Ted Field (the heir of the Marshall/Fields department store fortune) and rock producer Jimmy Iovine. Interscope was about to goi under at the time and Iovine, in particular, recognized on the basis of The Chronic demos that making a deal with Death Row might offer a glorious reprieve.

Interscope bet right. The Chronic went multi-platinum and unveiled one of rap's biggest new stars, Snoop Dogg. His first album for Death Row, Doggie Style, also went double-platinum. As did Death Row's next four albums. Within a year, Death Row was raking in more than $150 million in sales a year. And they had also lured into their stable rap's biggest name, Tupac Shakur. Shakur was

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Most of the money from this incredibly successful label was made by two white men, Ted Fields and Jimmy Iovine. Many of the artists ended up broke, in jail or dead.

in jail in New York City at the time and Suge Knight was the only one willing to bail him out. Shakur returned the favor by signing with Death Row and churning out a string of best-selling albums.

But behind the scenes all was not well. For starters, although Death Row was selling millions of records Michael Harris and his wife Lydia, who later served as an executive producer of the film, weren't seeing any money. They'd turned over all the business dealings to their attorney David Kenner. When Suge Knight publicly disavowed Harris and any link to his money, the Harrises realized that they had been betrayed by both Knight and their own lawyer.

Meanwhile, the political attacks on rap music continued to escalate, with Bob Dole and Dan Quayle both making Time/Warner's stake in Interscope a campaign issue. Enter C. Dolores Tucker, the prudish marm of the NAACP. Welcome to Death Row claims that Tucker attempted to parlay attacks on rap into a cushy deal with Time/Warner which would involve her overseeing an $80 million label with Tucker acting as censor of lyrical content. Apparently, Tucker convinced Michael Fuchs, head of Time/Warner's music division, that she could swing Suge Knight on this deal. A meeting was arranged at Dionne Warwick's mansion. Suge stood them up. Tucker went away empty handed and Time/Warner ended up selling Interscope back to Iovine and Field.

But for all the money that was changing hands (some $400 million) little of it was making its way back to the artists. Even Dr. Dre, the creative force behind the label, wasn't getting his share and found it impossible to record records in the Death Row studios, which had become clotted with gang members and Knight's thuggish entourage. Snoop Dogg described the situation at the studio as "Everybody being in a chokehold." Ultimately, Dre left Death Row records. It was the beginning of the end.

The fateful day was September 7, 1996, when Tupac Shakur, under police and FBI surveillance, was gunned down in Las Vegas, with Suge Knight at his side. Knight was wounded and Shakur later died of his injuries. Earlier that evening Knight had gotten into a scuffle with a man in the lobby of casino. The fight was captured on videotape. The tape was used to charge Knight with a parole violation. For help, Knight turned to David Kenner. But it didn't help. Knight ended up getting hit with a 9-year sentence. Many Death Row employees think that Kenner didn't put forth much of a defense.

"Telling the story of Death Row records presented many unique challenges for anyone with the temerity to try," says Leigh Savidge. "The people close to this story generally fall into one of two categories: those who make out like bandits, aren't talking and want the story to simply fade away; and those who were misused, threatened and are simply relieved to have survived the experience."

The making of the film Welcome to Death Row was also of considerable interest to the FBI, which was looking to go after the financial backers of Death Row, who they suspected of being tied to drug traffickers. "At the time when a lot of the initial interviews were done, the government was investigating Death Row," says Leigh Savidge, the film's director. "There was grave, grave concern. They had been approached by the FBI [who] were looking to get [the interviewees] to say things about Death Row. In a sense, to connect Death Row to drug money. It was a tremendous amount of fear we faced in getting people to talk when we first started off."

There were also threats from people close to Suge Knight. Many of the rappers who agreed to be interviewed by Savidge, including artists as established as Snoop Dogg, got threats. "There are things that flash before you. I'm not somebody who sits at home at night and racks up fear about what's going to happen to me," Savidge said. "That's either a good thing or not a good thing, but nothing is gonna stop me from telling this story and showing it to people and letting people get a sense of perspective on what happened."

In the end, the story of Death Row records isn't so different from many other stories of black artists and entrepreneurs who run into the subtle racism of Hollywood and the merciless profit-hunger of the entertainment industry, from its CEOs and producers to the lawyers. Most of the money from this incredibly successful label was made by two white men, Ted Fields and Jimmy Iovine. Many of the artists ended up broke, in jail or dead.

"They just don't want us legal", says rapper Rick James.

As for Suge Knight, he's looking to reconstruct his crumbled empire on the backs of those who helped him build it: "I'm still gonna make my money no matter what. I don't care who put out a record, who did what. If there is an artist on Death Row, my kids [are] still gonna eat off that. Death Row artists got Death Row babies, they got Death Row wives. They got everything they got because of Suge Knight and Death Row." CP

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restore order, President Bush I sent in the Marines. At the time cynics suggested that Bush might also have been eager to take his pardon of Caspar Weinberger out of the headlines.

The "humanitarian" intervention was touted as one of the first bouts of nation building of the New World Order, supervised by various non-profit aid groups and protected by the UN-sponsored military force. The American embassy, established a few days before the US marines arrived in Mogadishu, was located in the Conoco corporate compound.

Soon ugly stories of murder and torture by Canadian "peacekeepers" appeared in the Canadian press. To efface such unpleasantness the US press whipped up a frenzy about a local baron called Mohammed Aideed, touted as a sort of mini-Osama. He became public enemy number one, target of various efforts to kill or capture him. One such attempt focused on a house in which clan elders were holding a council, debating how to engineer a peaceful solution to the crisis. US helicopter gunships fired TOW missiles into the building, killing at least 50. US special forces then arrived and, on Scott Peterson's on the spot account, finished off some wounded survivors.

On October 3, 1993, a team of Delta Force and Rangers tried to nab Aideed again, in central Mogadishu. Aideed was nowhere to be found and the American troops became confused. Shortly after, they were surrounded by angry crowds. There ensued a massacre in which somewhere between 500 and 1000 Somalians were killed, along with 18 Americans. Aideed later told journalists that had he desired it, all the beleaguered Americans would have been killed by Somalis infuriated by the massacre. He held the number down, correctly fearing that Clinton would probably have ordered the nuking of Mogadishu forthwith.

In 1999, Mark Bowden's book Black Hawk Down appeared. Bowden had worked for the Philadelphia Inquirer and filed pieces right after the 1993 massacre. As the movie director Alex Cox points out

According to one journalistic account, US special forces killed wounded survivors--in an episode that definitively turned Somalis against the US.

in a recent, excellent discussion of Black Hawk Down in The Independent, "It's interesting to observe how the story was retold over that time. An article by the former Independent correspondent Richard Dowden [not to be confused with Mark Bowden] the previous year makes the clear point that US troops killed unarmed men, women and children from the outset of their mission: 'In one incident, Rangers took a family hostage. When one of the women started screaming at the Americans, she was shot dead. In another incident, a Somali prisoner was allegedly shot dead when he refused to stop praying outside. Another was clubbed into silence. The killer is not identified.'"

Bowden's original articles were filled with these unpleasant details. They are not to be found in the book. CounterPunch is reliably informed that the publisher, Grove Atlantic, thought it politic to remove them, preferring an unblemished epic of American heroism. The only blemish that disfigures the release of the movie is the fact that GI John "Stebby" Stebbins, renamed as Company Clerk John Grimes in the film, is now serving a 30-year sentence in Fort Leavenworth military prison for raping a 12-year-old girl.

Cox cites a subsequent US Army investigation of organised racism in the US Army, which concluded the problem was particularly serious in all-white, so-called "elite" and "Special Operations" units. Such racial separatism could lead to problems, the report warned, because it "foster[s] supremacist attitudes among white combat soldiers". (The Secretary of the Army's Task Force Report on Extremist Activities, Defending American Values, 21 March 1996, Washington DC, page 15.)

After the massacre, Canada, Italy and Belgium all held enquiries into the behavior of their troops. Canada put some of its soldiers on trial for torture and murder. The US held no such public investigation nor reprimanded any of its commanders or troops for the Somalian debacle. CP

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How to Call Treasury's Bluff on Cuba Travel

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